

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 12-20423

Hon. David M. Lawson

vs.

MARIO HAIRSTON,

Defendant.

**NOTICE OF WITHDRAWAL OF DEFENDANT’S MOTION FOR
COMPASSIONATE RELEASE [DKT #93]**

By and through his counsel, LAW OFFICE OF MICHAEL R. DEZSI, PLLC, appointed under the Criminal Justice Act, Defendant MARIO HAIRSTON hereby withdraws his Motion for Compassionate [ECF No. 93]. In further support of his Notice of Withdrawal, Defendant states the following:

1. On September 8, 2020, Defendant filed his *pro se* “Motion For Compassionate Release/Reduction in Sentence Under 18 U.S.C. § 3582(c)(1)(A), To Be Held In Abeyance Pending a Hearing.” (ECF No. 89).
2. In his motion, Defendant seeks compassionate release not because of his own medical and/or health reasons, but because his wife is suffering from terminal cancer. In his motion, Defendant explained that on July 2, 2020, he made a

request to the Warden of FCI Bennettsville seeking compassionate release along with “documentation from the Doctors treating his wife[.]” Defendant does not have copies of the original request and supporting documentation that he submitted to FCI Bennettsville.

3. On September 8, 2020, Defendant filed his instant *pro se* motion for compassionate release and asked the Court to hold in abeyance his request “pending a hearing, and appointment of counsel.”
4. The Court ordered the government to respond to Defendant’s motion on or before October 8, 2020.
5. On September 28, 2020, the Court appointed the undersigned counsel pursuant to the Criminal Justice Act to represent Defendant.
6. Through his undersigned counsel, Defendant filed on 10/23/2020 his Motion for Compassionate Release. ECF No 93. Defendant’s Motion for Compassionate Release was based on his wife’s terminal medical condition.
7. Unfortunately, Defendant’s wife died since the filing of his motion for compassionate release such that his request is now moot.
8. For the foregoing reasons, Defendant hereby withdraws his motion for compassionate release. ECF No. 93.

Respectfully submitted,

Law Office of Michael R. Dezsi, PLLC

Dated: January 20, 2021

/s/Michael R. Dezsi
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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of January 2021, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

/s/ Michael Dezsi
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